

Appln No. 10/719,614
Amdt date November 30, 2006
Reply to Office action of August 30, 2006

REMARKS/ARGUMENTS

Claim Amendment

Claim 16 has been amended to recite a surface roughness of the positive electrode. Support for the amendment is found in the specification on page 24, table 19. No new matter was added. Entry of the amendment is respectfully requested.

Rejections Under 35 USC 102(b)

Claims 16-18, and 24-30 have been rejected under 35 USC 102(b) as allegedly being anticipated by Gorkovenko et al. Applicant respectfully traverses the rejection for at least the following reasons.

Amended, independent claim 16 requires that the positive electrode should have a surface roughness in the range of 2.2 to 2.9. Gorkovenko et al. does not mention surface roughness in the specification and thus does not anticipate the present invention. Because claims 17-18 and 24-30 are dependent on claim 16, they also are not anticipated by Gorkovenko et al. Reconsideration and withdrawal of the rejections is requested.

Rejections Under 35 USC 103(b)

Claims 19-22 are rejected under 35 USC 103(a) as allegedly being unpatentable over Gorkovenko et al. as applied to claims 16-18 and 24-30 above, and further in view of Bi et al. Applicant respectfully traverses the rejection for at least the following reasons.

As stated above, amended, independent claim 16 requires that the positive electrode should have a surface roughness in the range of 2.2 to 2.9. Neither Gorkovenko et al. nor Bi et al. teaches or suggests a surface roughness, or the importance thereof. Thus, because claims 19-22 depend from claim 16, claims 19-22 are not obvious in view of Gorkovenko et al. and Bi et al. Reconsideration and withdrawal of the rejections is requested.

Appln No. 10/719,614
Amdt date November 30, 2006
Reply to Office action of August 30, 2006

Conclusions

In view of the above, Applicant respectfully submits that claims 16-22 and 24-30 are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By


Robert P. Auerbach
Reg. No. 46,525
626/795-9900

RPA/rjf

RJL PAS703064.1-* 11/30/06 4:50 PM